

## AUTHORIZED TO BORROW MONEY

### THE DAVIS RAILROAD COMPANY MAY RAISE FUNDS.

Demurrer Filed by Former County Recorder on the Charge of Taking Illegal Fees.

At a meeting of the creditors of the Davis Railroad Coal Co., Wednesday, Referee in Bankruptcy A. M. McCarty gave W. L. Stolzenbach, trustee of the company, authority to borrow \$3,000, which is to be applied, if necessary, towards the maintenance of the mines. Application had been made to borrow \$5,000, but Referee McCarty reduced it. Three thousand dollars had been borrowed previously to this to conduct the business. Whether the affairs could be run better without mining coal was considered, and it was thought wiser to run the mines in preference to closing them down perhaps running machinery. Trustee Stolzenbach stated Thursday that the money applied was not for immediate purposes, but that the action was taken so that they would be prepared for future expenditures.

### PETITION FOR DIVORCE.

A petition for divorce has been filed by Attorney J. H. Robertson on behalf of Elizabeth J. Rice, who charges her husband, Charles A. Rice, with cruelty and non-support. Plaintiff says that they were married in 1902 and have no children. She asks to be restored to her maiden name, of Elizabeth J. Meredith and to be awarded sole possession of all household goods. TO SELL REAL ESTATE.

R. W. McCaughey, receiver of the Chippewa Sand & Stone Co., filed an application Thursday morning, asking the court for authority to sell real estate owned by the company. Inventory and appraisements were filed several days ago and show the indebtedness as being \$42,515.

DEMURRER FILED. A demurrer has been filed by Charles A. Dougherty, formerly county recorder, in the case brought against him by the state of Ohio in which charges for illegality in drawing fees from the county treasurer are made. The defendant asks that all causes of action in the petition be set aside, as it is claimed grounds are not sufficient to favor plaintiff. He claims that the plaintiff must return all indexes before recovery can be had. The attorneys are McCarty & Pontius and David B. Day.

HEARING NOT FIXED. Referee A. M. McCarty has not yet set a time for the hearing of the case brought by the Dies-Fertig company, a creditor of the Mineral City Supply Co., to expunge the claims against that company held by the Canton State bank, the People's Deposit Co. and W. L. Davis.

CASE SETTLED. The first case brought before the petit jury in Judge Harter's court was the case of Laura B. McCoy against the Canton-Akron Railway Co. for \$10,000 damages. Plaintiff alleges that on April 8, 1903, that she was thrown from a car on West Tuscarawas street at the B. & O. crossing, while in the act of alighting. Her fall was caused by the sudden starting of the motive power, and as a result she was severely injured. She was represented by J. J. Grant, while John C. Welty was the company's attorney. The case was settled Thursday afternoon at the cost of the defendant.

DIVORCES GRANTED. Judge Ambler granted the following divorces Thursday: Margaret Ogelschloper, on grounds of cruelty; maiden name of Margaret Clare was restored. Alice M. Hatch from her husband, on ground of willful absence; plaintiff's attorneys were Lynch, Day & Day; case was not contested. Scott against Scott was not contested; Attorney Roach of Alliance represented the plaintiff. W. F. Kinzer, a keeper of a stall at the market house, from Mrs. Kinzer; Chas. Upham was the plaintiff's attorney; suit was not contested.

SETTLED OUT OF COURT. The case of Koons against Lawrence was settled outside of court. The defendant had bought a piece of property from the plaintiff and had been behind in his payments.

LONG GRAND JURY SESSION. According to County Prosecutor R. H. Day, the present session of the grand jury will not report before the first of next week. He states that this will be one of the longest sessions in the history of the county.

WILL GO TO CARROLLTON. Judge Harter will go to Carrollton on Monday to open the September term of court for Carroll county, so there will be only one court in session, that of Judge Ambler. The case of the city of Canton against the Canton-Akron Railway Co. in regard to the Mahoning street tracks will be brought up before Judge Ambler, Monday. For the rest of the week the juries will sit on all cases. The following is the assignment for the week commencing September 26:

COURT ROOM NO. 2—JUDGE AMBLER PRESIDING. Monday—Motion: City of Canton vs. C. A. Railway Co.

Tuesday—Jury cases: LaCofsky vs. Canton I. & M. Co.; Baum vs. Robertson et al.; Avers vs. C. A. Ry. Co.; Lehman vs. Whitaker; Early vs. Cyrus. Wednesday—Graham vs. North American Insurance Co.; Miller vs. Geary; Ewing vs. City of Alliance; Meyers vs. Galloher.

Thursday—Canton Hollow Brick Co. vs. Carahan S. & E. Co.; Westing-

house Electric & Mfg. Co. vs. West Penn Foundry & Machine Co.; Sprague Canning Machine Co. vs. Pontius et al.; Heywood Bros. vs. Barrie; Dugan vs. Gaskill et al.

Friday—Shekels versus Gelweit; Knight vs. Stark Electric Ry. Co.; Midway vs. Krupp; Midway vs. Leech; McFarren vs. Baughman.

EXAMINED COUNTY TREASURY. Louis A. Loichot, vice president of the First National bank of Canton, and Isaac Taggart of Massillon were appointed by Probate Judge M. E. Aungst as examiners to make examination of the county treasury. The examinations are required by law and have been usually made every six months. The examiners began work Thursday morning, and in the afternoon they filed their report. It is as follows:

BALANCES IN THE FUNDS. County ..... \$12,055.12  
Infirmary ..... 18,724.79  
Children's Home ..... 2,420.62  
Bridge ..... 3,396.94  
Building ..... 23,696.37  
Road ..... 1,057.86  
Redemption ..... 103.97  
Unclaimed costs ..... 43.95  
Ditch ..... 1,226.34  
Dog tax ..... 2,852.71  
Teachers' Institute ..... 210.21  
Soldiers' relief ..... 4,491.15  
Schools ..... 49.10  
Undivided liquor ..... 7,314.39  
Judicial ..... 1,287.43  
Workhouse ..... 17,286.71  
Interest and debt ..... 37,259.92  
Side path ..... 4.68  
Election fund ..... 16,974.05  
Entzley ditch ..... 1,430.10

Total ..... \$152,567.51

OVERDRAFTS. Undivided gen. tax ..... \$492.00  
Fox lake ditch ..... 123.50  
Aubright ditch ..... 144.03  
Grimes ditch ..... 8.00  
Kurtz ditch ..... 7.50

Total balance ..... \$150,792.48  
INDICTMENTS AT COLUMBUS. Among the indictments reported by the Franklin county grand jury at Columbus Wednesday, there is one for murder in the first degree. It is against Fred. Castor, formerly of this city, who is charged with killing Police Officer Davis at Columbus. Indictments were also reported against James O'Neill and Peter Mathias, also of this city, and Jud King for attempt to convey things into the jail to facilitate the escape of a prisoner, Fred. Castor.

PETITION FOR DIVORCE. Attorneys Crane & Snyder have filed a petition for divorce in common pleas court in behalf of Christiana Quest. Plaintiff claims that her husband, Augustus Quest had failed to support herself and child. They were married in this city in 1877 and have one son.

### BRYAN AND FAMILY START ON WORLD TRIP

Lincoln, Neb., Sept. 21.—William J. Bryan, accompanied by his wife and two children, left for San Francisco this afternoon on his trip around the world. He will sail for the Orient on September 27 and will be gone two years.

The former presidential candidate declined to use the private car made by the Union Pacific Railroad company.

### Croxel-Hooper Wedding.

Carrollton, Sept. 21.—The wedding of Louis L. Hooper, eldest son of W. S. Hooper and wife, to Mrs. Alma Croxel was solemnized at the home of the bride's parents in East Liverpool at high noon today.

Immediately after the ceremony the bride and groom left for Akron where they will make their future home, the groom being manager of Schwartzchild & Sulzberger's meat agency at that place.

Mr. Hooper is well known here and he and his bride have the best wishes of a host of friends. The wedding was attended by Landlord and Mrs. Hooper of this place and their sons, Ed. of Canton and Lonzo of Chicago.

### Socialist Advocates General Strikes.

Jena, Germany, Sept. 22.—At the Socialistic congress here yesterday Herr Bebel introduced a resolution in which he stated that he considered it the duty of all working classes to employ all expedient means to repel the attacks on the right and freedom of voting. The resolution stated that the application of general strikes was the best weapon to combat such a political crime.

Sulphur Mines Cause Landslides. Rome, Sept. 22.—The extensive sulphur mines under Mount San Paolino, Suterio, Sicily, caused several landslides yesterday, which buried the town at the base of the mountain.

Most of the inhabitants were warned by the first crash and fled to the open country, abandoning all their belongings.

Sweden and Norway Will Arbitrate. Lucerne, Switzerland, Sept. 22.—The Scandinavian delegates to the international peace conference stated yesterday that Sweden and Norway would submit the adjustment of their differences by arbitration. The Swiss federal council will be asked to select a president of the tribunal which will arbitrate the matter.

Robbers Attack Mail Train. Baku, Sept. 22.—A band of robbers attacked a mail and passenger train last night. One passenger was killed and 53 badly wounded. The robbers were unsuccessful in capturing the mail, the Cosacks in charge of the same firing on and dispersing the plunderers.

## SOME COMPARATIVE FINANCIAL STATISTICS

Issued by State Bureau of Uniform Accounting Showing Receipts, Expenditures and Salaries. Paid to City Officials—How Canton Compares With Other Cities of Its Class.

The state bureau of uniform accounting has issued a bulletin giving comparative financial statistics of the 71 cities of the state. Cities which approach each other in population are grouped together and in tabular form it is shown how they compare with each other in receipts and expenditure, salaries paid officials, etc. Youngstown, Akron and Canton constitute one group. The following table shows the ordinary expenditures of these cities:

	Youngstown, Pop. 44,885.	Akron, Pop. 42,728.	Canton, Pop. 30,667.
General Government.			
Council	\$2,083.68	\$1,755.79	\$3,433.83
Clerk of council	2,399.27	1,859.45	996.10
Mayor	4,901.20	1,875.10	1,911.65
Auditor	4,151.64	4,149.72	2,525.11
Treasurer	2,201.64	613.00	1,432.86
Solicitor	2,187.15	3,275.18	3,680.37
Sinking fund trustees	281.55	251.44	135.20
Elections	3,433.46	1,908.41	4,476.00
Legal advertising	2,955.85	1,908.41	1,467.50
Miscellaneous executive	948.63	.....	.....
Police courts	275.40	267.25	.....
Justices' courts	.....	58.85	.....
Jury and witness fees	28.05	.....	.....
Damages	2,240.00	2,177.25	1,987.50
Court costs paid	862.07	.....	49.09
Protection of Life, Health, Property.			
General administration (safety)	2,032.40	671.17	541.64
Police department	66,466.77	46,074.14	25,454.08
Fire department	56,079.11	94,070.41	39,576.46
Fire and police telegraph and phone	3,949.00	1,122.86	945.00
General administration (health)	1,174.02	1,353.30	911.13
Sanitary	4,779.68	2,823.62	2,094.55
Quarantine	3,313.40	1,437.18	5,108.60
Inspection food products, plumbing, etc.	933.00	93.50	2,059.50
Public Service.			
General administration (service)	7,028.01	6,565.40	4,699.07
Hospitals and pest houses	21,556.19	15,128.06	226.30
Outdoor relief	.....	6,775.82	.....
Indigent blind	.....	1,646.20	.....
Workhouses	.....	.....	.....
Engineering, inspection, etc.	10,767.72	6,195.75	5,466.82
Opening, grading, etc., streets	.....	.....	14.42
Street paving	.....	.....	14.42
Street repairing	19,789.94	18,102.31	15,671.79
Sidewalks	.....	347.38	130.05
Street cleaning	13,597.90	15,189.81	263.04
Street sprinkling	.....	5,190.88	.....
Street lighting	30,102.76	29,303.75	27,147.23
Garbage collection	2,460.81	1,525.82	7,276.47
Sewers, drains, etc.	3,998.15	2,527.65	.....
Bridges and viaducts	9,142.50	5,554.95	.....
Rivers and harbors	1,420.42	.....	.....
Miscellaneous public ways	.....	.....	.....
Water works	35,658.77	.....	42,614.12
Electric plants	.....	.....	.....
Markets	.....	472.10	727.04
Wharves, landings, etc.	.....	.....	254.86
City scales	610.50	.....	2,552.69
Parks	2,217.64	3,490.34	1,912.08
Public buildings	2,476.55	2,631.29	.....
Cemeteries	.....	.....	.....
Hydrant rentals	.....	.....	.....
Miscellaneous public service	125.71	3.60	.....
Public Education.			
Public libraries	3,341.98	9,900.24	5,146.91
Public indebtedness.			
Upon funded debt	43,911.95	41,815.50	49,628.90
Upon floating debt	.....	.....	.....
Upon tax loans	.....	.....	.....
Public Taxation, Unclassified.			
To trustees, pension fund	1,562.20	2,161.16	1,600.49

This table gives the salaries, wages, tax levies and tax duplicate:

	Youngstown.	Akron.	Canton.
Annual Salaries.			
Member of council	\$150.00	\$150.00	\$150.00
Clerk of council	1,200.00	900.00	1,000.00
Mayor	3,500.00	\$500.00	\$1,000.00
Auditor	2,000.00	1,500.00	1,600.00
Treasurer	2,000.00	500.00	750.00
Solicitor	2,000.00	2,000.00	2,000.00
Member of board of public safety	500.00	250.00	250.00
Member of board of public service	1,800.00	1,200.00	1,000.00
Health officer	900.00	1,200.00	720.00
Chief of police	1,500.00	1,500.00	1,000.00
Chief of fire department	1,500.00	1,500.00	1,100.00
Clerk of board of public safety	540.00	180.00	.....
Clerk of board of public service	1,000.00	900.00	780.00
Clerk of board of public health	120.00	100.00	.....
Regular firemen	900.00	900.00	780.00
Regular police	900.00	900.00	845.00
Street laborers (per diem)	1.65	1.75	1.75
General tax duplicate	\$24,055.50	\$22,644.670	\$14,315.870
Tax levy of 1904—			
General city purposes	10.696 mi.	10 mi.	10.1 mi.
Sinking fund purposes	1.304 mi.	4.39 mi.	3.7 mi.
Miles of paved streets	17.45	30	18.6
Miles of sanitary sewers	54.42	75	35.1

\*Fees additional as police magistrate in city cases.

## GOLD AND SILVER

### And Costly Silks by The Car Load Passed Through Canton.

A special express train, termed by railroaders an "Asiatic freight," passed through this city over the Pennsylvania yesterday. It was made up of Union Pacific express cars, loaded with gold bullion from the western mines and costly silks from the Orient. The train was given a clear right of way, passenger trains even sidetracking and was closely guarded by company detectives. The gold was taken to the Philadelphia mint.

## BECAME CRAZY

Orrville, O., Sept. 21.—Mrs. Mary Steele of Smithville, near here, after attending the dedicatory exercises of a new church on Sunday, became violently crazy upon the subject of religion. She was adjudged insane and taken to the hospital at Massillon.

### The Sons of Veterans.

Gettysburg, Pa., Sept. 20.—Only a short business session of the annual convention of the Sons of Veterans was held today, most of the day being devoted to entertainments. The resolution proposing the merger of the Grand Army of the Republic and the Sons of Veterans was discussed but no final action taken.

Tonight a "camp-fire" was held at which speeches were made by many of the most prominent members of the order.

## PROFESSOR HARPER

### Has Suffered a Sudden and Serious Relapse.

Chicago, Sept. 21.—President Wm. R. Harper of the University of Chicago has suffered a sudden and serious relapse. Members of the family are hastening back to Chicago and the gravest fears are felt at the university over his condition.

While members of the family and his physicians report he is resting comfortably, none of them doubts Dr. Harper is failing fast.

### MARRIES A COUSIN OF PRESIDENT MCKINLEY

Wooster, O., Sept. 21.—Quintin M. Gravatt, candidate on the Democratic ticket last year for dairy and food commissioner, and for some years editor of the Wayne county Democrat, was wedded Thursday at Forest, O., to Miss Pansy A. Heferman. The bride is a cousin of President William McKinley.

### Apologize For Indignity to United States.

Havana, Sept. 21.—Senator Frias, accompanied by the mayor of Cienfuegos and other officials of the Cuban government called at the American consulate at Cienfuegos today and expressed regret at the indignity of last night when a quantity of filth was thrown on the escutcheon bearing the arms of the United States, and which is over the entrance to the American consulate. They stated that the authorities are making every effort to apprehend the guilty parties.

## FIVE KILLED

Collision Between Milk Train and Pay Train on Reading Road.

Harrisburg, Pa., Sept. 21.—Through a misunderstanding or orders a pay train and a milk train on the Philadelphia & Reading railway collided on a curve near Mount Holly, about 20 miles west of Harrisburg this afternoon and five employees of the company are dead and eight others seriously injured, two of whom will probably die. A number of others, mostly passengers, were shaken up, but not badly hurt.

## MRS. MADDEN IS NEARLY OVERCOME

### ALMOST COLLAPSED DURING THE ALIMONY TRIAL.

Sensational Scene in Court When Madden Was Asked to Identify Copy of an Article.

Cincinnati, O., Sept. 21.—Shortly before the adjournment of today's hearing of Mrs. Anna Louise Madden's alimony suit against her husband, J. E. Madden, the turfman, Mrs. Madden was taken ill and almost collapsed. Her uncle, E. S. Durrell of this city was sent for, and he accompanied her from the court room, and she was driven at once to his home. She walked out of court unassisted, and one of her attorneys, W. L. Dickson, said she was simply tired out from the strain of the past few months.

The trial today was sensational at times.

"I decline to look at that article or identify it as having been prepared by me, on the ground that it might incriminate me," vehemently declared Madden in Judge Swing's court today when he turned down Attorney Dickson's demand that he say whether he prepared a certain typewritten article about Mrs. Madden's family, which he said to have shown to others after their separation. Madden refused even to look at the typewritten copy.

Other witnesses had already said he had shown them such an article.

"When Mr. Dickson first filed his suit for Mrs. Madden," declared Mr. Madden, "I told him I would give him more money to get her back for me than he could get to take her away."

"Did you not offer to sign a check for \$15,000 if I would effect a reconciliation?" asked Dickson.

"I most certainly did not, for I knew I should not have to pay over \$15,000 to have had you do it," retorted Madden, and the court had to rap to silence the laughter.

"Did you at any stage of this case have a paid press agent?" asked Attorney Stanley Bowdler.

"I did not; I'm not tongue tied."

Further along in the cross-examination it developed that Madden had said: "When I married her she hadn't enough wearing apparel to wad a gun, but I made her one of the best dressed women in the country, and intended to make her one of the wealthiest."

The presentation of evidence was finished this afternoon and the arguments will consume tomorrow and part of Saturday.

Deep Murder Mystery at Boston. Boston, Mass., Sept. 21.—The nude trunk of a woman jammed into a suit case was found floating near Winthrop Beach by two yachtsmen about 6 o'clock tonight. The indications are that the victim was murdered and her body dismembered and that efforts were made to hide the crime by throwing it overboard from some vessel going in or out of the harbor.

### Caught Foot in Frog.

J. N. McQuern of North Market street caught his foot in a frog on the street car tracks on Fifth street yesterday and severely wrenched his leg. McQuern was attempting to get out of the way of a car and he received a shock when his foot touched the track and in falling the foot was twisted in the frog. He is confined to his home.

### New Diphtheria Cases.

Yesterday morning two cases of diphtheria were developed by pupils attending the North Cherry street school. The pupils were immediately quarantined and school dismissed until the rooms could be fumigated. School will be reopened this morning as usual.

### Church Fair Successful.

Navarre, O., Sept. 21.—St. Clements fair closed on Tuesday night and was a decided success financially, the net proceeds amounting a little over \$1,600. On Sunday a large crowd was in attendance. The Canton orchestra furnished music. The hard showers of rain on Tuesday night kept many people away.

### Production of Steel Rails.

The production of all kinds of rails in the United States in 1904 amounted to 2,284,711 gross tons, against 2,992,477 tons in 1903, a decrease of 707,766 tons, or 23.6 per cent. The production of Bessemer steel rails in 1904 amounted to 2,137,957 gross tons, against 2,846,756 tons in 1903, a decrease of 808,799 tons, or over 27.4 per cent.—Scientific

### Flood Danger Passed.

St. Louis, Mo., Sept. 22.—The flood in the river here came to a standstill at 6 o'clock tonight with a gauge of 29.7 feet. All further danger appears to be past.

## LAW DEFINED ON PUTS AND CALLS

UNDER CERTAIN FORMS THEY ARE DECLARED LEGAL.

Important Decision Handed Down by Judge Garry in Superior Court at Chicago.

Chicago, Sept. 21.—In the superior court today Judge Garry in the case of Mark Bates against Harry Woods gave a decision which is declared notwithstanding the statutes of Illinois, it finds puts and calls legal under certain forms. The court said in part:

"This offer is not a contract for an option, but an offer to make a contract for actual delivery of the wheat and the consideration paid for the promise to leave that offer open does not create such a contract for an option as is prohibited by the statutes. The consideration here is for the promise to leave the offer open, which offer is to make a bona fide contract for actual delivery."

"The statute in question is a penal statute and so must be strictly construed. If this offer is an option such as is prohibited by the statute, then the party giving it would be liable to indictment and criminal prosecution. An indictment clearly would not lie in the facts stated in this case. The demurrer therefore is over-ruled."

Judgment was given against the defendant for \$1,425.

## JOHN MADDEN DENIES

Secret Partnership With Frank Hitchcock or Any One Else.

Cincinnati, O., Sept. 21.—Regarding the dispatch from New York that he had dissolved a secret partnership with Frank R. Hitchcock, John E. Madden, the turfman, said today: "I closed out all my eastern connections at the time I announced my intention to retire from active partnership racing. I sold my interest in the horses owned jointly by Mr. Hitchcock and myself during the Saratoga summer meeting. There was never any secrets as to the partnership between Mr. Hitchcock and myself or any one else. The partnership was registered with the jockey club, as all partnerships must be. My selling out of all my eastern connections was necessitated by financial and other reasons growing out of my long detention in the west and the curtailment of my business."

## PROFESSIONAL SHOOT